

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 09, 2004

DIVISION TWO

B168126 Associated International Insurance Company (Not for Publication)
v.
Montenegro Re, Ltd.

The judgment is reversed with orders to the trial court to stay the matter and grant the petition to compel arbitration. Associated shall receive costs of appeal.

Nott, Acting P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

B167909 Coplan (Certified for Publication)
v.
Coplan

The orders appealed from are affirmed. Appellant shall bear respondent's costs of appeal.

Nott, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

DIVISION TWO (Continued)

B165399 Gamboa, et al. (Not for Publication)

v.

William S. Hart Union High School District

The judgment is affirmed. Appellants shall bear the District's costs of appeal.

Nott, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

B175677 Los Angeles County, D.C.S. (Not for Publication)

v.

Dawn Z. et al.

The order appealed from is affirmed.

Nott, J.

We concur: Boren, P.J.
 Doi Todd, J.

B173684 People (Not for Publication)

v.

Green

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION TWO (Continued)

[illegible]

The judgment is affirmed.

Nott, Acting P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

B168721 People (Not for Publication)
v.
Weems

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

B172706 Shin (Not for Publication)
v.
Acupuncture Board, et al.

The judgment is affirmed. The Board is entitled to its costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Nott, J.

DIVISION TWO (Continued)

B166695 Stewart, et al. (Not for Publication)
v.
Four Seasons Coach Leasing, et al.

The judgment against LAUSD is affirmed. The judgment against the individual plaintiffs is reversed. The parties to bear their own costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Nott, J.

B175550 Ustman Technologies, Inc., et al. (Not for Publication)
v.
Superior Court, Los Angeles County
(Joseph Dilillo, et al., r.p.i.)

The alternative writ is discharged and the stay is dissolved. Let a peremptory writ of mandate issue directing the trial court to order the parties to meet and confer and attempt to resolve their discovery disputes and for further proceedings consistent with this opinion. Petitioners are to recover their costs.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Nott, J.

DIVISION TWO (Continued)

B170760 Morgan, et al. (Not for Publication)
v.
Long Beach Civil Service Commission, et al.

The judgment denying Foti's petition for writ of mandamus is affirmed. The judgment granting Morgan's writ of mandamus is reversed. Upon remand, the trial court shall enter judgment denying Morgan's writ of mandamus. Appellants shall bear respondents' costs of appeal.

Nott, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

B166899 Bufano, et al. (Not for Publication)
v.
State Farm General Insurance Company, et al.

Summary judgment in favor of Edwin Barnhart is affirmed. Appellants shall bear Barnhart's costs of appeal. Summary adjudication in favor of State Farm on appellants' count for breach of contract (count 1) is reversed. Summary adjudication in favor of State Farm on appellants' remaining counts (counts 2, 3, and 6) are affirmed. State Farm and appellants shall each bear his, her, or its own costs of appeal.

Nott, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

DIVISION THREE

Court reconvened at 9:30 a.m.

Present: Klein, P.J., Kitching, J., Aldrich, J. and Patricia Gonzalez and Valorie Gray, Deputy Clerks.

DIVISION THREE (Continued)

Each of the following:

B170865 Barbara Randall v. Carolyn Perkins
B172093 People v. Fereydun Shahidzaeh
B170571 People v. Servendo Arellano
B171013 People v. Jules Camille
B170486 People v. Mark J. Washington et al.

Argument waived, cause submitted.

B168866 Grigor Gaboyan
v.
Azatui Charchayan

Merits:

Argued by Nigol Manoukian for appellant and no appearance by respondent. Cause submitted.

B176618 First North American National Bank
v.
Superior Court, Los Angeles County
(Phillip Brown and Karen Brown, r.p.i.)

Merits:

Argued by Steven C. Shonack for petitioner and by Raphael A. Katri for real parties in interest. Cause submitted.

B177992 Paul Wools
v.
Superior Court, Los Angeles County
(Thomas C. Turner, r.p.i.)

Merits:

Argued by Paul Wools petitioner in propria persona and by John A. Belcher for real party in interest. Cause submitted.

DIVISION THREE (Continued)

B170865 Barbara Randall
 v.
 Carolyn Perkins

Appearance

By respondent Carolyn Perkins. Argument previously waived by appellant.
Argument waived, cause submitted.

Court recessed at 10:43 a.m.

Court reconvened at 1:30 p.m.

Present: Klein, P.J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B172576 Abbey Oriental, Ltd. v. Tsai, et al.

B172646 Yuki Kobayashi v. Jose Aleman et al.

B173399 Children and Family Services v. Lisa M. et al.

B176192 Children and Family Services v. Cassandra V.

Argument waived, cause submitted.

B166023 Cohen, et al.
 v.
 Myer, et al.

Merits:

Argued by Paul L. Stanton for appellants and by Barbara E. Dunn for respondents. Cause submitted.

B171143 Plays
 v.
 Occidental College

Merits:

Argued by Stephen F. Rohde for appellant and by Stuart D. Tochner for respondent. Cause submitted.

November 09, 2004 (Continued)

DIVISION THREE (Continued)

Court adjourned at 3:02 p.m.

B157249 Jay Reynolds v. County of Los Angeles

B163468 Jay Reynolds v. County of Los Angeles

Filed order consolidating above captioned appeals.

DIVISION SIX

Court convened at 9:00 A.M. Present: Gilbert, P.J., Yegan, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B172929 Winston v. California Dept. of Fish and Game

Argument continued to December, 2004.

B172265 Koslov v. Lexington Hills Homeowners Assoc.

Argument continued to January, 2005.

Each of the following:

B169165 Esteras v. Esteras

B174681 Dept. of Social Services v. Angel L.

Argument waived, cause submitted.

B171264 Hanson Aggregates Mid-Pacific, Inc.

v.

California Dept. of Industrial Relations

Merits:

Argued by Robert R. Roginson for appellant and by William A. Reich, Staff Counsel, for respondents. Cause submitted.

Court recessed at 9:30 A.M.

DIVISION SIX (Continued)

Court reconvened at 1:30 P.M.

Present: Gilbert, P.J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B171172 Pregartner
 v.
 David

Merits:

Argued by Lisa L. Toke for appellant and by Roy E. Ogden for respondents. Cause submitted.

B174621 Brown
 v.
 Buster

Merits:

Argued by Christopher Brown, appellant, appearing in propria persona and by Herb Fox for respondent. Cause submitted.

B174986 Reyome
 v.
 Sunrise Senior Living Services, Inc.

Merits:

Argued by Marc Donald Anderson for appellant and by James A. Napoli for respondent. Cause submitted.

B169672 Hillcrest-Thousand Oaks Assoc.
 v.
 DSD Construction, Inc.

Merits:

Argued by George Knopfler for appellant and by H. Thomas Watson for respondent Insurance Co. of the West. Argument previously waived by respondent DSD Construction, Inc. Cause submitted.

Court adjourned at 2:40 P.M.

DIVISION SEVEN

B173847 People v. Riley (Not for Publication)

The judgment is affirmed.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

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The judgment is affirmed.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

B174205 Los Angeles County, D.C.S. (Not for Publication)
v.
Oscar W.

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.

November 09, 2004 (Continued)

DIVISION SEVEN (Continued)

B173830 Thompson (Not for Publication)
v.
County of Los Angeles

The judgment is affirmed. Each party to bear their own costs.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.

DIVISION EIGHT

B176795 Miranda G.-P. (Not for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles County Depart. Of Children & Family Svcs., et al., r.p.i.)

The petition for an extraordinary writ is denied, and the order to show cause is discharged. This opinion is final forthwith as to this court pursuant to rule 24(b)(3) of the California Rules of Court.

Boland, J.

We concur: Cooper, P.J.
Flier, J.

B166840 Longwood, a Calif. Limited Liability Co., et al. (Not for Publication)
v.
Restamian

The judgment is affirmed.

Boland, J.

We concur: Rubin, Acting P.J.
Flier, J.

DIVISION EIGHT (Continued)

B172949 People (Not for Publication)

V.
Morales.

The judgment is affirmed.

Boland, J.

We concur: Rubin, Acting P.J.
Flier, J.

B168838 Michelle A. Alexander (Not for Publication)

v.
Michael S. Alexander

The appeal from the purported judgment of March 22, 2003, is dismissed. The purported Judgment on Bifurcated Issue, filed on May 22, 2003, is vacated. The Statement of Decision is denominated an order of the court filed on March 14, 2003, and the title Statement of Decision is struck from the order of March 14, 2003. Nothing herein constitutes an expression of views on whether the trial court erred in making the order of March 14, 2003. The correctness of the order of March 14, 2003, is left to the review, on appeal, of a final judgment in the action.

Flier, J.

We concur: Cooper, P.J.
Boland, J.

B171008 People (Not for Publication)

V.
Machuca

The judgment is affirmed.

Flier, J.

We concur: Cooper, P.J.
Rubin, J.

DIVISION EIGHT (Continued)

B166432 Major Medical Center, Inc. (Not for Publication)

v.
Nil Jundu,
Owusu A. Firempong

The judgment is affirmed. Each party is to bear his or its own costs on appeal.

Flier, J.

We concur: Cooper, P.J.
 Boland, J.

B170939 People (Not for Publication)

v.
Austin W.,

The judgment as to counts 1 and 2 is reversed for insufficient evidence.
The judgment as to count 3 is reversed and remanded for readjudication.

Flier, J.

We concur: Cooper, P.J.
 Rubin, J.

B167291 Mercury Insurance Company (Certified for Publication)

v.
Allstate Insurance Company

The judgment is affirmed. Mercury is to recover its costs in this appeal.

Flier, J.

We concur: Rubin, Acting P.J.
 Boland, J.

DIVISION EIGHT (Continued)

B170175 People (Not for Publication)
v.
Maldonado

The abstract of judgment is corrected to show that appellant's sentence on this case is to run concurrently with any other term he is presently serving or will be serving arising from this incident. The superior court is directed to send a corrected abstract of judgment reflecting that change to the Department of Corrections. In all other respects, the judgment is affirmed.

Flier, J.

We concur: Rubin, Acting P.J.
Boland, J.

B167037 Westside Concrete Company
v.
Division Of Labor Standards Enforcement et al.,

Filed order certifying opinion for publication.